

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES A. LUCAS, plaintiff

Civil No. 1:11-cv-2318

v.

(Jones, J.)

B.A. BLEDSOE, et al. defendants

AMENDED COMPLAINT

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Pro-Se Plaintiff files this Amended Complaint pursuant to Fed. R. Civ. P. 15(a) and 15(c), to properly identify parties. Thus, paragraphs # 268 and # 306 which refer to John Doe Defendants # 5 - # 11 are amended to reflect the true identities of Defendants # 5 C. Anderson, # 6 R. Seagraves, # 7 K. Mahia, # 8 M. Kline, # 9 B. Gaston, # 10 C. Frankz, and # 11 M. Tarrow. They are sued in their individual capacities.

INTRODUCTION

① This is a civil rights action filed by Plaintiff, James A. Lucas, pursuant to Biden v. Sir (Unbranded Named Agents of the Bureau of Narcotics, 408 U.S. 378 (1971)), for the violation of Plaintiff's right to be free of excessive use of force or misuse of force, and his right to adequate medical care, as guaranteed and protected by the Eighth Amendment of the Constitution of the United States.

② At all times relevant to this action, Plaintiff was a prisoner at the United States Penitentiary, Lehigh, Pa., Pennsylvania.

③ Defendants, individually and collectively, deprived Plaintiff of his federally guaranteed rights by subjecting him to excessive use of force or misuse of force, and by denying him adequate medical care.

④ All allegations of this Complaint are based on Plaintiff's belief, information, and facts currently available to him. Further discovery is needed to determine, among other things, all individuals involved, and the full extent of each defendant's, and other individuals' actions or omissions that deprived Plaintiff of his rights.

1(A)

DEFENDANTS (59 Total)

W. McTadden, Lieutenant

A. Sassaman, Lieutenant

Scampone, Lieutenant

P. Carrasquillo, Lieutenant

T. Johnson, Lieutenant

M. Saylor, Lieutenant

John Doe #4, Lieutenant

J. Seelba, Lieutenant

C. Mattingly, Lieutenant

A. Galletta, Lieutenant

John Doe #1, c/o (Correctional Officer)

John Doe #2, c/o

John Doe #3, c/o

Honey, c/o

Dreich, c/o

Tanner, c/o

E. Kilpatrick, c/o

B. West, c/o

G. Edinger, c/o

E. Good, c/o

S. Hicks, c/o

E. Klineboller, c/o

M. Wagner, c/o

C. Webb, c/o

S. Putzmann, c/o

K. Whittaker, c/o

J. Hedro, c/o

K. Lass, c/o

E. St. John, Lieutenant

S. Both, c/o

G. Wise, c/o

Z. Edinger, c/o

M. Reeves, Treatment Specialist

H. Birdsall, Treatment Specialist

S. Iglo, c/o

K. Admire, Unit Manager

M. Jones, Chaplain

C. Anderson, c/o

K. Sengstackes, c/o

K. Yabio, Recreation Specialist

M. Kline, c/o

B. Gaston, c/o

C. Frantz, c/o

M. Tarrow, c/o

K. Packer, c/o

T. Brabe, c/o

T. Hooper, Lieutenant

Health Services

S. Brown, (M.S.A.) Health Services Admin.

D. Dehean, EDC, RN

W. Brennanman, RN

B. Lallo, EMT

B. Prince, EMT

B. George, EMT

L. Potter, EMT

M. Peoria, PA

I. Nafarro, M.L.P.

T. Alama, M.L.P.

J. Humphill, PA.

JURISDICTION

⑤ This Court has ~~full~~ jurisdiction under 28 U.S.C. 1331 because this action arises under the Constitution and laws of the United States.

⑥ Venue lies in the ~~Western~~ middle district of Pennsylvania under 28 U.S.C. 1391 because all of the acts or omissions giving rise to this Complaint occurred in this District.

PARTIES

⑦ Plaintiff is an adult individual who at all times relevant was ~~was~~ incarcerated at the United States Penitentiary Lewisburg, Pennsylvania.

⑧ All Defendants are adult individuals who at all times relevant to this action were employees at United States Penitentiary Lewisburg, Pennsylvania.

⑨ Defendants, B.A. Bledsoe, and S. Brown are all sued in their official and individual capacities.

⑩ All other Defendants are sued in their individual capacities.

⑪ Each of the defendants, at all times relevant to the allegations of this Complaint, was acting, and continue to act under color of Federal law.

FACTS

⑫ On 2/25/10, at or around 1pm, while about to be escorted to recreation, Officer Shears instead escorted Plaintiff to the shower area, secured Plaintiff in shower stall and ordered him to submit to a visual search.

⑬ Plaintiff calmly refused and requested for a lieutenant to know the reason why.

⑭ Defendant Shears came and told Plaintiff that a visual search can be done at random

and asked Lars Raintiff going to submit to a visual search. And Raintiff calmly and simply replied, "No."

⑮ Defendant Stant stated, "I will get the Use of Force Team and put you in restraints."

⑯ Defendant Stant ordered Officer Shears to keep close observation on Raintiff.

⑰ Defendant Stant got authorization from Defendant Bledsoe to assemble a Calculated Use of Force Team to force Raintiff to submit to a visual search and to place Raintiff in hard subduatory restraints.

⑱ For about an hour or ten minutes, Raintiff and Officer Shears had normal conversation about different or numerous topics.

⑲ At about 2:20pm, Defendant Stant arrived with, and led, the Use of Force Team.

⑳ The Calculated Use of Force Team consisted of Defendants: Officers; Kilpatrick, West, Edinger, Good, Hicks, Klinefelter, Treatment Specialist Keeles, and Health Services DeLeon.

㉑ Treatment Specialist Keeles, (Confrontational Avoidance Staff), asked Raintiff if he would submit to a visual search.

㉒ Raintiff replied, "Yes", and calmly submitted to handrestraints and complied and cooperated with a visual search.

㉓ After Calculated Use of Force Team completed visual search, Raintiff was placed in Underwear, socks, on a T-shirt. And then placed in hard subduatory restraints (i.e. leg shackles, handrestraints ("straight" handcuffs) that are connected to a bellychain (marten chain) in front.

- 24) This placement of hard ambulatory restraints was done despite the fact that Plaintiff complied and submitted to the visual search.
- 25) The Calculated Use of Force Team Members collusively and knowingly applied the belly-chain and hand restraints unnecessarily extremely too-tight.
- 26) The hand restraints and belly chain was so tight that the hand restraints could not move at all along Plaintiff's ~~left~~ left wrist, and the right hand restraint on his right wrist could move only when forced. The belly chain could not move at all along or about Plaintiff's waist and threatened to pull hand restraints off forever.
- 27) This extreme tightness of hand restraints on belly chain caused Plaintiff immediate pain. Plaintiff immediately made this known by calling Defendant Stant and telling him that the restraints were extremely too-tight and causing unnecessary pain.
- 28) Defendant Stant only replied, "I'll check them when they are finished", so Plaintiff continuously told him throughout the application that the restraints were being applied extremely too-tight and caused pain.
- 29) The Calculated Use of Force Team Camera Operator was not able to visually record the knowing collusiveness of which the Calculated Use of Force Team Members intentionally applied the restraints with extreme tightness.
- 30) After the Calculated Use of Force Team applied the restraints they turned Plaintiff around for Defendant Stant to check them.
- 31) Plaintiff continued to tell, and displayed to Defendant Stant that the hand restraints on belly chain was extremely unnecessarily too-tight and causing intense pain.

- ③ Defendant Stant touched the handrestraints and did nothing at all about the fact that the handrestraints or the bellychain would not move and ^{was} causing Plaintiff intense pain.
- ③ Defendant Stant ~~did not~~ provided a false statement of: "The restraints are alright", for the audio of the ~~the~~ Calculated Use of Force Camera which was still not able to record visually the actual actions and facts.
- ④ Defendant DeLeon (Health Services) then stepped up to Plaintiff and grabbed the handrestraints. Defendant DeLeon did nothing at all about Plaintiff's statements on physical evidence that the handrestraints on bellychain was extremely unnecessarily too tight and causing ~~intense~~ intense pain.
- ⑤ Defendant DeLeon also provided the ~~same~~ false statement of: "Restraints don't interfere with circulation", in corroboration with Defendant Stant.
- ⑥ The Calculated Use of Force Camera was at ~~at~~ no time in the proper position to actually record the up close step by step actions of application of restraints, nor in a proper position to record the up close visual of restraints on Plaintiff after application.
- ⑦ Defendant DeLeon did not perform any examination of Plaintiff. Nor did he do a vital signs check.
- ⑧ Defendant DeLeon was only in Plaintiff's presence long enough for him to touch ~~the~~ the handrestraints on prearrest bar audio of Calculated Use of Force Camera.
- ⑨ Plaintiff did not at any time resist or display threatening, aggressive behavior and only allowed his entire body to go limp.
- ⑩ Defendant Stant ordered the ~~the~~ Calculated Use of Force Team to carry Plaintiff.

to Health Services to x-ray his stomach.

(41) Plaintiff continued to remain lying after x-ray and the Calibrated Use of Force Team carried him to Z-Suit to a restraint cell.

(42) The ~~Use~~ Use of Force Team laid Plaintiff down on his back on a mattress and began to back out of cell.

(43) No Use of Force Team Member was near Plaintiff as he started to roll over on his side in order to be able to sit-up.

(44) As Plaintiff finally sat half-way up, Defendant Shant began yelling, without warning or justification, "Stop resisting! Stop Resisting!"

(45) No order had been issued for Plaintiff to resist, but at Defendant Shant's yell of "stop resisting", he and the entire Use of Force Team rushed back in cell and tackled Plaintiff on the bed.

(46) Plaintiff was only half-way sitting up when this was done.

(47) The entire Use of Force Team was on top of Plaintiff, suffocating and hurting him. And every Use of Force Team Member was grabbing different limbs of Plaintiff's body; hands, fingers, feet, head; and twisted, turned, and/or pulled them in different ways on ~~angles~~ angles sending excruciating racking pain throughout his entire body.

(48) Plaintiff continued to yell, "I'm not resisting anything", As Defendant Shant kept yelling, "Stop resisting!"

(49) Plaintiff was still in hard obligatory restraints that was unnecessarily too tight on patient.

(50) Defendant Stant finally ordered the Use of Force Team to pick Plaintiff up and stand him in the corner of room.

(51) The Use of Force Team did so, and Defendant Stant gave Plaintiff an order to ~~stay~~ stay in the corner until the Use of Force Team exit the cell.

(52) Defendant Stant ordered the Use of Force Team to "Get him if he moves". (or something along those lines). Plaintiff obeyed order and did not move from ~~corner~~ corner.

(53) Defendant Stant and Calculated Use of Force Team left the cell.

(54) For the first three hours, Plaintiff was not seen by a lieutenant.

(55) Plaintiff complained and displayed to Z-Suit staff that the handcuffs and belly-chain was unnecessarily too-tight on causing extreme pain, and that his wrists and forearms were swelling. [Only one Z-Suit staff Member's name is recalled. The others are John Does ~~#1, #2, #3~~ #1, #2, #3]

(56) At different, but numerous times a Z-Suit staff Member would respond; "What do you want?" When Plaintiff called them to cell door and displayed and told them the restraints was too-tight on causing intense pain, biting into his skin, and that his wrists and forearms were swollen.

(57) The Z-Suit staff, every time Plaintiff stopped one, would reply, "What do you want me to do?". When Plaintiff told them, "I need to see a lieutenant or Medical". They would only state: "You okay", and walk away.

(58) At one time, Plaintiff stopped Z-Suit staff, Defendant Harvey, and requested for a lieutenant or Medical as he displayed his swollen and painful wrists and forearms.

- ⑤ Defendant Hamey told Plaintiff, "You know, you was a tough guy to refuse a strip search, but now you want to cry in restraints". And walked away.
- ⑥ At another time, Plaintiff stopped and again pleaded to a Z-unit staff to call a Lieutenant or Medical on. Was told, "Yeah, yeah, so what? The restraints are too tight. I'm not going to drag the Lieutenant to here", and walked away.
- ⑦ This type of dialogue between Plaintiff and Z-unit staff went on an occurred every 15 minutes for about 3 hrs. No Lieutenant or Medical was called.
- ⑧ At time went on the swelling and inflammation of Plaintiff's wrists and forearms got worse and worse. Plaintiff felt painful live on burning sensations throughout his left hand, wrist, on fingers whenever he moved them. And a painful numbness ~~in~~ in both wrists on forearms when he did not move them.
- ⑨ The restraints was so tight that they did not allow the movement needed to see the bathroom or eat.
- ⑩ At one time during the latter part of this three hour period, Plaintiff observed Corporal Metzger, Defendant Sassman and other staff escort another prisoner, who was also in hard ambulatory restraints, to the cell directly across from Plaintiff.
- ⑪ Plaintiff persistently called for Defendant Sassman but was only ignored.
- ⑫ At about 5pm or 6pm, Defendants Hooper and Sassman finally came to do a restraints check and Plaintiff immediately showed them the visible too-tight restraints and told them that they were too-tight and causing extreme pain.
- ⑬ Plaintiff's swollen, inflamed, on bruised wrists on forearms was clearly visible as he told them that they don't allow him the movement necessary to eat or (urinate) see bathroom.

And pleaded for restraints to be loosened.

(68) Defendant Sassman stayed silent, did not intervene and only gave Plaintiff a copy of an Incident Report.

(69) Defendant Hooper responded to Plaintiff's pleas with a snarling, "What do you expect?"

(70) Plaintiff again told him that the restraints are extremely too-tight and causing intense pain. Plaintiff again displayed the clear obvious injuries, on that the restraints would not make on Plaintiff's wrists, forearms, or waist.

(71) Defendant Hooper only replied, "So?" Defendant Sassman did not respond.

(72) At this ordered, 2-Init staff and Health Services Defendants; Brennan and Wallo was standing at cell door.

(73) Defendant Brennan was standing in doorway (door open) of cell, looking in cell with Defendant Wallo looking behind him.

(74) This was suppose to be the first Medical Restraint check but neither Defendant Brennan nor Defendant Wallo even came in cell.

(75) Neither Defendants; Hooper nor Sassman; loosened the extremely too-tight restraints. Nor did they attempt to do anything about the clear obvious injuries Plaintiff had an intense pain he was in.

(76) On the next two hour check, Defendants Hooper and Sassman came inside cell. And Plaintiff again displayed the too-tight restraints; his swollen, inflamed, torised wrists and forearms and pleaded for them to be loosened.

77 Defendant Hooper grabbed the handcuffs and attempted to force them along Plaintiff's swollen wrists. This caused Plaintiff excruciating intense pain throughout his wrists, hands, forearms, and waist.

78 The right cuff of handcuff barely moved on Plaintiff's right wrist. And the left cuff on his left wrist did not move at all.

79 Despite the clearly visible injuries on that restraints could not move and the intense pain they caused Plaintiff, Defendants Hooper and Sassman did nothing.

80 Defendant Hooper ^{only} stated, "They okay."

81 Plaintiff again pleaded for Defendant Hooper to loosen restraints because of the injuries on ~~him~~ excruciating pain they caused. And that they could not allow him the movement to eat or see the bathroom.

82 Defendant Hooper looked at Plaintiff and replied, "See, what you fail to realize is that: I don't care."

83 At this time Defendant Sassman, ~~he~~ began to walk to door.

84 Plaintiff told Defendant Hooper, "The restraints are not suppose to be tight like this or cause pain on swelling."

85 Defendant Hooper sarcastically stated, "Yeah, I know, cruel and unusual punishment and all". Then he and Defendant Sassman walked out of cell.

86 As Plaintiff started to lay back down in pain, Defendant Hooper came back to cell door and asked, "You want to come out of those restraints?"

97 Plaintiff responded, "Yes". And Defendant Hooper responded by bursting out laughing, then walked away from door.

98 At around 10pm, Defendants Hooper and Sassman, along with Health Services Defendant Walls came to do restraints check.

99 Defendant Hooper asked Plaintiff, "Do you want Medical to check you?" And Plaintiff replied, "Yes." and partially sat up.

100 Defendant Walls then grabbed Plaintiff's handrestraints and tried to move them as he looked at the tightness of them and the extreme swelling, inflammation, and bruising of Plaintiff's wrists and forearms.

101 Plaintiff winced in pain at Defendant Walls' every touch of his wrists, hands, and forearms.

102 Defendant Walls turned to Defendant Hooper and stated, "Boss, we have to calm down some." And Defendant Hooper looked disappointed, then stated "All-right".

103 Defendants Hooper and Sassman finally loosened the handrestraints, ^{Nevertheless,} ~~but~~ Plaintiff only received minimal relief because his wrists and forearms were so ~~swollen~~ ^{swollen and inflamed}.

104 The ~~the~~ handrestraints was only ~~loosened~~ ^{loosened} enough where they would move when forced along Plaintiff's wrists.

105 No other part of restraints was checked, although Plaintiff told and showed the Defendant that the bellychain would not move around waist, ~~it~~ was biting into his skin, pulled handrestraints up forearm and caused intense pain.

106 Defendant Walls did not give Plaintiff ^{pain} any medication, nor did he treat Plaintiff's injuries of extreme swelling, inflammation on deep bruises on and along his wrists and forearms

that was easily seen and visible. Nor did Defendant Wall perform a vital signs check.

(97) Defendants: Hooper, Sattmann, and Wall left the cell.

(98) At 12 am 2/26/10, shift changed, and Defendant McFadden came to do restraints check.

(99) Defendant McFadden did not check Plaintiff's bellychain nor leg shackles and only grabbed Plaintiff's handrestraints, even though Plaintiff told him that the bellychain was too tight and causing pain on pulling handrestraints off forearm.

(100) Defendant McFadden did not attempt to get Plaintiff any medical attention for his extremely swollen, inflamed, bruised wrists and forearms.

(101) The restraints check went the same during McFadden's shift.

(102) On 2/26/10 at around maybe 8 am, Defendant Scampore came and did restraints check ~~and~~ ~~Plaintiff~~ and did not loosen the bellychain.

(103) A little while after Defendant Scampore left, Health Services: Defendant Prince came and checked Plaintiff. And performed a blood ~~pressure~~ pressure and temperature (vital signs) check on Plaintiff.

(104) This was the first actual vital signs check that had been performed on Plaintiff since ~~he been in~~ ~~hard~~ hard ambulatory restraints.

(105) Defendant Prince did not attempt to treat or record Plaintiff's clearly visible deep bruises, an abrasion on Plaintiff's swollen, inflamed, bruised wrists and forearms. Nor did she check any part of restraints even after Plaintiff told her that the bellychain was too tight and causing pain.

(106) Defendant Prince left cell after she performed the vital signs check.

(107) At 1:15 PM while after Defendant Prince left, Health Services Defendant Peoria came and performed a vital signs check on Plaintiff.

(108) Defendant Peoria did not check restraints, even though Plaintiff complained or showed him that they were too tight or causing pain or injuries.

(109) Defendant Peoria refused to treat or record Plaintiff's clearly visible swollen, inflamed, bruised and abraded wrists and forearms. And left cell after he performed vital signs check.

(110) At around 10 am 2/26/10, Defendant Scampore came to do his second restraints check and in the process he finally released Plaintiff from hard ambulatory restraints, and escorted him to his cell in D-Suit.

(111) Defendant Scampore did not order any medical care or treatment for Plaintiff's plainly visible extremely swollen inflamed wrists and forearms which was riddled with visible abrasions deep bruises and abrasions.

(112) During no time of the above events ^{did} Plaintiff display aggressive or belligerent behavior. Nor was he a threat to himself or others.

(113) Plaintiff did submit or comply with, and to, a visual search when asked to do so by Treatment Specialist Treeces (Confrontational Avoidance Staff).

(114) There was not a real justifiable penological reason for Plaintiff to have been placed in and left in hard ambulatory restraints for a prolonged period of 20 hrs.

(115) The hard ambulatory restraints was purportedly an intentionally applied extremely too tight by Calibrated Use of Force Team.

(116) The extremely too-tight hard ambulatory restraints caused physical injuries to Plaintiff's wrists, forearms, and waist.

(117) On 2/27/10, at around 7 am, Plaintiff made a request to D-Unit Officer to see Health Services to treat, assess and record the injuries of wrists, forearms, and waist caused by the hard ambulatory restraints.

(118) At around 7:22 am the Officer reported to Plaintiff that Health Services Defendant Prince, told her to tell Plaintiff that he should wait until Monday (almost a total of 49 hrs in the future) and talk to the Physician Assistant of D-Unit.

(119) Plaintiff then requested to speak to a Lieutenant, and Defendant Scampone was notified, and came to speak with Plaintiff.

(120) Plaintiff renewed his request for a Medical Assessment and treatment as he displayed his clearly visible, then ~~very~~ mildly swollen and inflamed, deeply bruised, and abrasioned wrists and forearms and waist.

(121) Defendant Scampone stated, "I will contact Mr. Prince."

(122) At around 9:30 am, Health Services Defendant Potter made "Pill line" rounds, and Plaintiff told him and showed him his injuries on pain and asked for them to be ~~checked~~, assessed, treated, and recorded.

(123) Defendant Potter already knew of Plaintiff's request and only took a casual look through cell window over Plaintiff's deeply bruised and abrasioned and ~~and~~ mildly swollen and inflamed forearms and wrists and stated, "It's nothing but scratches, you should stay out of restraints."

(124) Plaintiff told Defendant Potter that his injuries is more than just mere scratches and

that he was in pain, and again requested for an assessment, treatment on that his actual injuries be properly recorded.

(125) Defendant Potter sarcastically told Plaintiff, "I will mark down or make a note that you have small scratches". Defendant Potter did not attempt to perform an actual examination of Plaintiff or only downplayed the obvious ~~the~~ visible injuries. Nor did he treat injuries.

(126) ~~For the rest of the shift~~ For the rest of the shift Plaintiff persistently and continuously requested for an actual medical assessment or treatment for injuries on wrists, forearms, and back. Plaintiff's requests was ignored.

(127) Plaintiff continued to feel a painful tingling, burning sensation in his left wrist whenever he would apply any pressure while bending his wrist back or forward and during any sleep and medicated himself with OTC (Bayer, or Aspirin) for the months of March and April.

(128) This injury of left wrist on hand did not get better on ~~the~~ Plaintiff sought medical attention by submitting a formal sick call slip personally to Health Services Defendant Navarro on May 3, 2010.

(129) Defendant Navarro was assigned ^{M.L.P.} ~~(Medical Licensed Practitioner)~~ ^(~~Medical Licensed Practitioner~~) for duty at this time, as Plaintiff clearly explained his pain, symptoms, and the cause of injuries.

(130) Plaintiff was never examined by Defendant Navarro even though he prescribed him Naproxen.

(131) On 5/14/10 Plaintiff again ^{gave} ~~gave~~ Defendant Navarro another copy of complaining of pain, ~~explaining~~ explaining the symptoms, its causation. And that prescribed medication was not helping.

(132) After Plaintiff's numerous sick-call slips, cop-opts, and verbal complaints of pain on injury, he was given an x-ray on 5/19/10. And during x-ray Plaintiff found out that Defendant Navarro had ordered the x-ray for Arthralgias of both hands, instead of actual causation of injury.

(133) Plaintiff submitted a cop-opt to Defendant Navarro requesting to know the x-ray results and was verbally told by Defendant Navarro, "The x-ray is good, negative findings. You only have tendonitis."

(134) Plaintiff again told Defendant Navarro that the pain medication was not helping with pain and Defendant Navarro prescribed him a different medication, called Meloxicam. Plaintiff was never examined.

(135) Plaintiff received a copy of his Medical Records and after review Plaintiff seen that Defendant Navarro did not place or mention any of Plaintiff's numerous sick-call slips, cop-opts etc, concerning and explaining the symptoms, pain, or causation of injury of left wrist (ie ^{from} extremely too-tight hard ambulatory restraints on 2/25/10 - 2/26/10).

(136) On 6/25/10, Plaintiff submitted a cop-opt to Defendant Navarro requesting to know why he omitted all Plaintiff's cop-opts on sick-call slips concerning this injury of wrist in his Medical Records and ^{recorded} instead ~~that~~ the false information that Plaintiff suffers from an ~~an~~ have a history of arthralgias, and unspecified monoarthritis, but continues to tell Plaintiff verbally that he has Tendonitis in his wrist.

(137) Plaintiff did not receive a response from cop-opt.

(138) On 6/30/10, Plaintiff verbally inquired again of Defendant Navarro why he misrepresents ambulatory information concerning injury of left wrist and Defendant Navarro told Plaintiff that he does suffer from Tendonitis so that he will change on ~~his~~ correct his Medical Records.

- (139) After a review of an up-to-date copy of his Medical Records, Plaintiff seen that ~~Defendant~~ Defendant Navarro still continuously record "history of joint issues" and states nothing of actual symptoms, pain, an exacerbation of Plaintiff's injury of left wrist.
- (140) On 7/16/10, Plaintiff verbally requested of Defendant Navarro, why he continues to knowingly omit actual facts and record false information concerning Plaintiff's injury of left wrist.
- (141) Defendant Navarro stated, "I know what you want but I'll not give it to you. Have a nice day." And walked away.
- (142) Plaintiff to this day does not know the full extent of, nor exactly what his injury of left wrist is, nor has he received adequate or appropriate medical care or treatment.
- (143) Plaintiff had not been able to fully use his left wrist on hand without feeling painful tingling burning sensations whenever pressure is applied.
- (144) Plaintiff has never been examined concerning this injury and has only been prescribed different pain medications that has not really helped.
- (145) On 8/2/10 around 11:02 am, due to falsified information and documentation from ~~Defendant~~ Defendant Brode, Defendant Carrasquillo got authorization from Defendant Bladsoe to assemble a Calculated Use of Force Team to place Plaintiff (an inmate) in hard and solitary restraints for a prolonged period of time.
- (146) At about 12:40pm, the Calculated Use of Force Team, lead by Defendant Carrasquillo, arrived at Plaintiff's (an inmate's) door.
- (147) ~~The~~ The Calculated Use of Force Team in total consisted of Defendants: Officers: Webb, Wagner, Pitzman, Whitaker, Lesho, Ross, Booth, Wise, Edinger, and Treatment Specialist

Birdsell (no Confrontational Avoidance).

(148) Defendant Birdsell (Confrontational Avoidance) asked Plaintiff (an inmate) to submit to handcuffs. Both Plaintiff (and inmate) complied and submitted to handcuffs. He was escorted by Use of Force Team out of cell.

(149) The Calculated Use of Force Team escorted Plaintiff into shower area where he was visually searched, clothed in boxers, t-shirt, and socks, then hard ambulatory restraints were applied.

(150) The Calculated Use of Force Team ~~intentionally~~ purposefully misapplied the handcuffs by applying them on Plaintiff's upper forearms instead of wrists. And purposefully misapplied the bellychain by applying them around ~~the~~ Plaintiff's chest instead of waist.

(151) The bellychain was pulled around Plaintiff's chest until it was impossible for it to be pulled anymore. And the handcuffs were ~~filled~~ applied so tight that they could not move at all on Plaintiff's forearms. Both caused Plaintiff immediate pain.

(152) After the Use of Force Team finished misapplying and applying too-tightly the restraints, Plaintiff was turned around for Defendant Carrasquillo to check them.

(153) Defendant Carrasquillo seen the clear obvious misapplication and tightness of handcuffs and bellychain and did nothing to correct or fix it. And instead state falsely for ~~his~~ benefit of audio of Use of Force Camera, "Restraints are alright."

(154) The Use of Force Camera was not in the position to record the misapplication and tightness of restraints.

(155) Health Services Defendant Potter came behind Defendant Carrasquillo to check restraints, and also seen the visible obvious misapplication and extreme tightness of handcuffs.

-straints and did nothing to correct or fix them, and also provided a false statement for audio of camera that, "Restraints do not interfere with circulation".

(156) As the Use of Force Team applied the restraints on his cellmate, Plaintiff was in intense pain from the misapplied, extremely too-tight hand restraints on belly chain on ~~cell~~ continuously called Defendant Carrasquillo telling him that the restraints are too-tight on causing intense pain.

(157) Plaintiff was never acknowledged by Defendant Carrasquillo although he was less than six feet away on continuously called on told him.

(158) ^{Plaintiff} ~~Plaintiff~~ (an cellmate) was placed in cell 202 on the second floor of D-Suit, ~~then~~ after the hand ambulatory restraints was applied. Then the Calculated Use of Force Team left.

(159) Plaintiff immediately on early seen that his cellmate's hand restraints on belly chain was also misapplied, applied extremely too-tight and ~~was~~ causing him pain as well.

(160) Plaintiff's (an cellmate's) forearms and wrists immediately started swelling and was hurting. And Plaintiff also had to lay, sit, or sleep on the floor with mattress because he was unable to get on top bunk with restraints.

(161) Plaintiff told on showed the early seen too-tight on misapplied restraints, the pain on swelling they caused to both ~~Plaintiff~~ Defendants, Tanner and Drick; at numerous times on occasions, yet, they did nothing but taunt or ignore him.

(162) Defendants, Drick on Tanner was D-Suit staff members.

(163) At around 1:09 pm, Plaintiff (an cellmate) was given 1 such trays but was not able to eat ~~because~~ because the misapplied, too-tight restraints would not allow the movement necessary to perform this act and had caused their wrists on forearms

to swell on ~~the~~ inflame with intense pain.

(164) Plaintiff (an cellmate) also could not manage to see the bathroom (squat) because of the misapplied, or too-tight restraints.

(165) Plaintiff told Defendants; Drick on Tanner; as well as Defendant Saylor's when he came to do the restraints check at around 2:01pm, that the tasks of eating, ~~and~~ using the bathroom could not be performed due to the extremely too-tight, or misapplied restraints.

(166) Plaintiff (an cellmate) also ^{displayed their} ~~displayed their~~ ^{displayed their} ~~displayed their~~ easily seen swollen or inflamed wrists on forearms, and told him about the extreme pain that the restraints caused.

(167) Defendant Saylor's stated, "The restraints will remain tight until each lieutenant make a decision on to loosen them or not". And grabbed the scheduled food trays and walked off cell.

(168) Defendant Brasse stood in doorway of cell and laughed throughout the whole exchange.

(169) At about 2:30pm, Health Services Defendant Potter did "Pill line" rounds, and asked Plaintiff was he going to take his medicine. Plaintiff displayed his swollen forearms on wrists and told Defendant Potter that he was in excruciating pain on ~~and~~ that the misapplied, or too-tight restraints won't allow the movement necessary to take medicine, or drink water.

(170) Defendant Potter stated, "I can't do anything about it, that's how we do them here". And walked away.

(171) At around 3:45pm, Defendant Johnson did restraints check, and Rainbolt (an cellmate) showed an told him that the restraints ~~was~~ was misapplied an too-tight, causing intense pain, and would not allow the movement needed to eat, or use the bathroom.

(172) Rainbolt's (an cellmate's) extremely swollen an inflamed forearms an wrists, and that the ~~hand~~ restraints would not ^{move} along or span forearms, wrists, an wrists at all and was biting in to skin an causing deep bruises an abrasions was easily an clearly seen.

(173) Defendant Johnson only stated, "I will let Medical check restraints", so Rainbolt (an cellmate) pleaded for him to loosen restraints.

(174) Defendant Johnson did nothing but to lock the handrestraints, then he an the other 450 officers left cell.

(175) At around 4pm, Rainbolt's cellmate went to door and called Officer Ross (A-Suit staff) an displayed his extremely swollen an inflamed wrists an forearms and Officer Ross replied, "Yeah that's swollen real good".

(176) Rainbolt also displayed his extremely swollen, inflamed, torqued wrists an forearms. And Rainbolt (an cellmate) pleaded for him to call Medical. An Officer Ross stated that he would.

(177) Rainbolt started to feel his right forearms, wrist, and hand go numb.

(178) At around 4:45pm, Officer Ross fed dinner but held Rainbolt (an cellmate's) food trays because the too-tight, misapplied restraints would not allow the movement necessary to eat.

(179) Officer Ross stated, "Medical was suppose to have been here. I will get you trays so

"Until they come". And, "I will give them another call".

(180) At around 6pm, Defendant Johnson and Health Services Defendant Brennan came to do restraints check.

(181) Defendant Brennan checked Raschiff's cellmate's hand restraints first, and after seeing his extremely swollen forearms on wrists, immediately told Defendant Johnson that the hand restraints need loosening. And Defendant Johnson finally proceeded to loosen Raschiff's cellmate's restraints.

(182) Raschiff observed that after cellmate's hand restraints was open. Defendant Johnson had to pull them off of deep indentions on bodies that they had caused in skin of flesh of forearms on wrists.

(183) Defendant Brennan then came to Raschiff to check his restraints. Raschiff was sitting on his mattress on the floor ~~and because~~ because the cell contains bunk beds and it was impossible to get up and down on top bunk safely while in ambulatory restraints.

(184) Prisoners when placed in hard ambulatory restraints here at USP Leidsdorp are forced into a cell which only contains double bunk beds which forces someone to sleep on floor.

(185) Defendant Brennan immediately saw the immense and extreme swelling and inflammation of Raschiff's forearms on wrists, especially the right forearm on wrist, and told Defendant Johnson to loosen Raschiff's right hand restraint.

(186) Defendant Johnson came over to loosen Raschiff's right hand restraint and Raschiff (a cellmate) showed and told Defendant Brennan that the belly chain was misapplied, too tight, ~~and~~ could not move ^{and} was biting into the skin and causing extreme pain.

(197) Plaintiff also showed Defendant ^{Brennan} ~~that~~ that the bellychain pulled on forced handcuffs - onto his forearms, and ~~that~~ he did nothing but state: "My job is only part of the restr-
-aints that can restrict circulation, and the bellychain does not, so I leave it up to the
lieutenants".

(198) Defendants Johnson and Brennan both refused to loosen the too-tight misapplied bellychains.

(199) Defendant Johnson refused to loosen Plaintiff's left hand restraint because Defendant Brennan told him, "No", even though it would not make at all on Plaintiff's swollen wrist.

(200) ~~Plaintiff~~ Defendant Brennan refused to give Plaintiff something for the extreme pain ~~in his wrist~~ and numbness when he asked. Nor did Defendant Brennan treat or record the obvious clear bruising swelling etc of Plaintiff's (an cellmate's) wrists, fore-
-arms and hands.

(201) Defendant Brennan did not perform a vital signs check on Plaintiff (or cellmate). And Defendants Brennan and Johnson left cell without checking any other parts of restraints.

(202) The handcuffs were only loosened enough where Plaintiff (an cellmate) could finally perform duties as eating or drinking, although still with much difficulty. And (Cor-
-rectional Officer) C/O Ross brought the food trays. Restraints were still extremely too-tight.

(203) At around 8pm, Defendants Johnson, along with Health Services Defendants Bren-
-nan and Potter did restraints check. Defendant Johnson only took the handcuff-
-restraints.

(204) As Defendant Brennan moved to cellmate, Defendant Potter touched Plaintiff's

(95) Plaintiff told Defendant Potter that his right forearm, wrist, and fingers of hand was pain-fully numb and asked for something for pain. Defendant Potter easily seen Plaintiff's swollen, inflamed bled wrists and forearms and only took his swollen lower right forearm and stated, "You have a nerve right there. I can not give you nothing for pain".

(19) Defendant Potts did nothing about the ~~belly~~ too-tight hand restraints. Defendant Johnson again refused to loosen the extremely too-tight belly chains that was causing pain on injuries to Sisto.

(19) Defendants Potter and Brennan refused to treat and record obvious injuries of Plaintiff (on cell mates) wrists, forearms on wrists. Nor did they perform a vital signs check.

(P.2) Around 10pm, Defendant Johnson came to do restraints check. And ^{after he only touched} ~~at~~ ~~the~~ ~~hand~~ ~~restraints~~ ~~he~~ ~~checked~~ the hand restraints, Plaintiff pleaded for him to loosen the left hand restraint because it would not work at all on left wrist.

(199) Defendant Johnson ~~finally~~ loosened the left one notch and ~~he~~ refused to loosen belly-chains then to be left the cell.

(20) At around 12 am, 8/8/10, shift changed. Plaintiff does not know the name of Lieutenant who performed restraint checks for this shift, (this, at this time will be named Defendant John Doe # 4)

(20) Defendant John Doe #4 did nothing when Plaintiff (an cellmate) showed him the clearly visible extreme swelling of forearms, wrists; the abrasions on deep lobes, that the boot tight unapplied restraints caused intense pain.

(202) Defendant John Doe # 4 did nothing when Rainbolt told him that his right forearm, wrist, and fingers of hand was painfully numb. Each check ~~was~~ went in this fashion on his shift.

(203) No Health Services staff did a restraints check between the times of 12 am on 7 am of 8/3/10.

(204) At around 6 am, 8/3/10, shift changed, and Defendant Mattingly came on did restraints check. He only touched the handrestraints. He seen the clearly visible extremely swollen inflamed and bruised wrists on forearms of Rainbolt (an cellmate) from too-tight restraints and did nothing.

(205) Defendant Mattingly told Rainbolt that he do not loosen belly chains.

(206) Rainbolt asked Defendant Mattingly how long will he (an cellmate) be in hand and waist restraints and Defendant Mattingly responded "I will make some phone calls to see what's going on", And left the cell.

(207) At around 8 am, Defendant Mattingly and Health Services Defendant Walls did restraints check. Rainbolt told Defendant Walls that his right forearm wrist and 3-digits of hand was painfully numb.

(208) Rainbolt (an cellmate) displayed their ^{painful} swollen, inflamed, bruised wrists and forearms, and too-tight restraints and Defendants Mattingly and Walls did nothing.

(209) Defendant Walls and Mattingly only touched the handrestraints. Defendant ~~Walls~~ did not examine, treat, or record easily seen clear injuries of wrists, forearms and wrists. Nor did he perform a vital signs check.

(210) Defendant Mattingly only stated, "Word on the block is that ya'll assaulted an officer", And left the cell.

(211) At about 9:20 am, Plaintiff seen Health Services Defendant Alama (who was then assigned as DeSaut's Physician Assistant) and told him that his ~~left~~ right lower forearm, wrist, and 3-digits of hand was painfully numb. ~~It was numb.~~

(212) Plaintiff also displayed the extremely too-tight restraints on his swollen, inflamed bruised ~~and~~ painful wrists on forearms, along with the easily seen too-tight misapplied bellychain.

(213) Defendant Alama only stated, "I can't do anything about it". And walked off.

(214) At around 9:30 am, Plaintiff seen Health Services Administrator Defendant Brown making rounds and displayed the injuries of bruised lower hands on wrists on skin trauma to back of hand (all of which was obtained from the incident of which before cellmate was falsely accused of assaulting Defendant Brown on what they ^{currently} were "in hard ambulatory restraints for) and never medically assessed or treated for.

(215) Plaintiff then showed Defendant Brown the extremely too-tight an misapplied hand restraints on bellychain. And showed him ~~the~~ ^{his} clearly ^{painful} visible swollen inflamed ~~bruised~~ deeply bruised and abraded wrists, on forearms on waist, ~~on~~

(216) Plaintiff told Defendant Brown that his ~~lower~~ right lower forearm, wrist, and 3-digits of hand was painfully numb. Defendant Brown only replied, "There is qualified staff in medical to make sure that the restraints are not too-tight".

And hurriedly walked away.

(217) At around 10 am, Defendant Mattingly did restraints check. He only touched the ~~the~~ handcuffs and did nothing about them being too-tight or the injuries they caused, or were causing.

(218) Defendant Mattingly stated, "I will make some phone calls about releasing you from restraints". And left cell.

(219) At about 11 am, while recreation was being pulled on the range, Defendant Brode came to the cell door and told Plaintiff (an cellmate), "When the lieutenant makes his next round he will let you off restraints. I bet you've learned your lesson about talking stupid to me now, huh?" And walked away smiling.

(220) At about 12 pm, Defendants Mattingly and Brode came in cell. Both Defendants proceeded to take the leg shackles on too-tight bellychain off Plaintiff (an cellmate), and after they left the cell the too-tight handcuffs was taken off.

(221) Plaintiff's skin was broken in some of the deep cuff indentions. Plaintiff also had deep bruises on abrasions on wrists, forearms, and torso. Plaintiff's wrists, ^{and} forearms were extremely swollen inflamed on holding.

(222) Plaintiff's right lower forearm, wrist, on 3-digits of hand was partially numb and he felt intense firelike painful sensations every time he used it or touched it. And Plaintiff's former injury of left wrist on hand was aggravated.

(223) Plaintiff (an cellmate) suffered 24 hrs in hard subvoluntary restraints that was unlawfully or unjustifiably applied. The hard subvoluntary restraints was inea-

-tionally misapplied and applied ~~to~~ extremely too-tightly.

(224) Raintiff (and cellmate) was at no time; before application, during application, or during duration of being in hand ambulatory restraints; belligerent, aggressive or a security threat.

(225) On 1/21/11 at about 5:35pm, Defendant Pachter provided falsified information on documentation falsely accusing Raintiff of "threatening" and Raintiff's cellmate of "threatening and attempt assault".

(226) Due to this falsified information and documentation, Defendant Carrasquillo got authorization from Defendant Bludsee to assemble a Calculated Use of Force Team to place Raintiff (on cellmate) in hand ambulatory restraints.

(227) At about 7pm, Defendant Carrasquillo ^{An Calculated Use of Force Team} ~~and~~ arrived at Raintiff's (on cellmate's) cell door. Defendant Carrasquillo lead Use of Force Team.

(228) The Calculated Use of Force Team consisted of the following Defendants: C. Anderson; R. Seagraves; K. Yorio, Recreation Specialist; M. Kline; B. Gaston; C. Frantz; M. Farroshi; ~~Admiral~~ Adamire and Officer Tigo (as Camera Operators) and Captain Jones (as Contraband Assistance Staff).

(229) Raintiff (nor cellmate) was never aggressive, combative, or a security threat to themselves or others. And Raintiff (on cellmate) complied and submitted to hand restraints on was escorted by Use of Force Team out of cell on to shower area.

(230) Raintiff was then stripped, searched, placed in see-through clothing without underwear, then placed in hand ambulatory restraints.

(231) The handcuffs and bellychain was knowingly and purposefully applied extremely or unnecessarily too-tight by the St. Force Team Members. The handcuffs was so tight that they would not move at all on Plaintiff's wrists. And the bellychain was so tight that it would not move on Plaintiff's waist and only forcefully threatened to pull handcuffs up forearm, although they would not move.

(232) ~~The~~ The too-tight handcuffs and bellychain caused Plaintiff immediate pain.

(233) The handcuffs was checked first by Defendant Carrasquillo, then Health Services Defendant Brennan. Both Defendants only touched the handcuffs on bellychain.

(234) Both Defendants; Carrasquillo and Brennan; seen the clearly obvious fact that the handcuffs and bellychain would not move at all along Plaintiff's wrists on waist.

(235) Defendants; Carrasquillo and Brennan did nothing to correct this and only provided false information for the audio of the St. Force Camera when they stated, "The restraints are alright and don't interfere with circulation".

(236) No other part of restraints was checked.

(237) Defendant Brennan did not examine nor perform a vital signs check on Plaintiff.

(238) The St. Force camera was never in the proper position nor area to visually record the step by step application of hard subdual restraints, nor the deception perpetrated by Defendants Carrasquillo and Brennan.

(239) The Use of Force Cameras was never in the proper position to visually record the restraints so close on Plaintiff after application.

(240) Plaintiff's cellmate was also stripped, searched, placed in see-through clothing without Under Wear, and then placed in hard subalatory restraints.

(241) Plaintiff (an cellmate) was then escorted by the Calibrated Use of Force Team to the First Floor of D-Unit to cell # 103. The cell contained bunk-beds and Plaintiff was forced to sleep, sit, etc. on the floor on a mattress because the hard sub-alatory restraints do not allow him the movement necessary to get up or down on top bunk safely.

(242) Plaintiff clearly and easily seen that his cellmate's handrestraints on bellychains was extremely too-tight and would not move along his wrists on wrist and that he was in pain because of them.

(243) Plaintiff was unable to move without the extremely too-tight restraints causing him more pain. And Plaintiff's (an cellmate's) wrists on forearms started swelling within minutes.

(244) At around 8pm, Defendant Carrasquillo performed the first restraints check, and Plaintiff (an cellmate) displayed the easily seen extremely too-tight restraints and the clear obvious swelling and inflammation they caused. And that they would not move on wrists and wrists.

(245) Plaintiff (an cellmate) complained about and expressed the intense pain the too-tight handrestraints on bellychains caused. And Defendant Carrasquillo only grabbed Plaintiff's (an cellmate's) handrestraints and stated, "Yeah, they are tight, but you are alright."

(246) Defendant Carrasquillo did nothing about the obvious and easily seen extremely too-tight handcuffs on belly chain, and the injuries and intense pain they caused.

(247) Plaintiff asked Defendant Carrasquillo why was he (an inmate) in restraints and Defendant Carrasquillo stated, "Yes I'll get the Incident Reports soon, but basically you threatened staff, attempted to assault staff, and refused an order."

(248) Plaintiff's cellmate explained that Plaintiff did not refuse an order nor attempt to assault nor threatened staff.

(249) Defendant Carrasquillo told Plaintiff, "It seems you are only guilty by association so I'll think about loosening your restraints". And then left the cell.

(250) Around 10pm, Defendant Carrasquillo did restraints check. Plaintiff (an inmate) told Defendant Carrasquillo that restraints were extremely too-tight and causing excruciating pain, ~~but he did not say anything about the~~

(251) Plaintiff showed Defendant Carrasquillo the easily seen swollen, inflamed bruised wrists on forearms and that ~~the~~ the restraints would not make an inmate forearm an wrist, and ~~he~~ would not allow the movement necessary to drink water, or use the bathroom (urinate).

(252) Plaintiff also told Defendant Carrasquillo that he was already suffering from nerve ~~injury~~ injuries in his right wrist on forearm, and an unknown injury of left hand on wrist.

(253) Defendant Carrasquillo stated, "Yeah, I did tell you that I would loosen the hand-restraints for you since you really aren't suppose to be in them". And told the Officer with him to loosen each of Plaintiff's wrists "one notch". The Officer did exac-

ally that.

(254) There was no significant relief at all because the handcuffs was extremely too-tight from the initial application and Raintiff's wrists and forearms were immensely swollen, inflamed, and bruised. ~~Defendant~~ Raintiff told on showed Defendant Carrasquillo this fact and he did nothing.

(255) Defendant Carrasquillo outright refused to loosen Raintiff's cellmate's handcuffs although his wrists ^{and} forearms were extremely swollen and inflamed, the handcuffs would not move at all on wrists or waist and that they were causing him pain and would not allow the movement necessary to ~~eat~~ eat, drink or use the bathroom (urinate).

(256) Defendant Carrasquillo ~~only~~ left the cell.

(257) Shift changed around 12 am on 11/21/11, and Defendant Seeba and Health Services Defendant Brennan came to do restraints check, and was told on by Raintiff (an cellmate) that the restraints was too-tight and caused excruciating pain on wrists.

(258) Raintiff (an cellmate) displayed their easily visible swollen, inflamed, bruised forearms on wrists, and that the handcuffs nor bellychain would not move at all on wrists, forearms, or waist to Defendants Seeba and Brennan.

(259) Defendants Brennan and Seeba only grabbed the handcuffs and did nothing about their extreme tightness. Defendant Seeba told cellmate, "I might loosen ~~the~~ the handcuffs depending on how I feel on my next check."

(260) Defendant Brennan did not record, treat, or examine Raintiff's (an cellmate) complaints of pain, redness, and clearly visible injuries. Nor did he per-

was a vital signs check.

~~(216) Defendant Seeba came to do a restraint check at 1 am.~~

(216) At about 2 am Defendant Seeba came to do restraints check and only walked in cell and looked around, not even attempting to touch restraints until Plaintiff's cellmate pleaded for the restraints to be loosened.

(217) Defendant Seeba finally decided to loosen cellmate's ~~restraints~~ handrestraints and stated "If you say about them being too-tight then you should not be in them. A little swelling never hurt nobody".

(218) Defendant Seeba only loosened the handrestraints one notch and stated "That's all you get". Defendant Seeba outright refused to loosen Plaintiff's too-tight handrestraints. No other parts of restraints were checked.

(219) Plaintiff do not recall being seen by a Health Services staff through the bars of 1 am - 6 am 1/22/11.

(220) ~~At~~ Defendant Seeba came to do a restraints check at 2 am. Defendant Galletta came to check restraints at about 4 am. And Defendant Seeba came again around 6 am.

(221) In each of these checks Plaintiff (and cellmate) complained about and described the extremely too-tight handrestraints on bellychain and the pain and visible injuries they caused. Defendants Seeba and Galletta did nothing.

(222) Around 6:45 am 1/22/11, breakfast of a sack meal was given to Plaintiff (and cellmate). Plaintiff (and cellmate) was unable to eat because the extremely too-tight hand-

-restraints and bellychain would not allow the movement necessary.

(268) The extremely too-tight handrestraints on bellychain would not allow the movement necessary to drink water, or now only barely allowed the movement necessary to use bathroom (urinate), ~~with~~ ^{with} much difficulty. A bowel movement was impossible.

(269) Shift changed, and at about 8 a.m., Defendant Mattingly, along with Health Services Defendant Walls ~~came~~ came to do restraints check. Defendants Walls and Mattingly only touched the handrestraints.

(270) Defendant Walls ^{on Mattingly} did nothing about Rainolt's (an cellmate's) visible immensely swollen, inflamed, and deeply bruised wrists on forearms, and that the bellychain on handrestraints would not move at all ~~on~~ on wrists, forearms, on waist.

(271) Defendants Mattingly and Walls did nothing when told about the excruciating pain they caused and that the too-tight restraints would not allow the movement necessary to eat, and drink.

(272) Defendant Walls did not examine, treat, or record Rainolt's (an cellmate's) complaints on visibly seen injuries. Nor did he perform a vital signs check.

(273) Defendant Mattingly asked what they were in restraints for and Rainolt (an cellmate) explained. Defendant Mattingly stated, "I know Officer Parker. I'll talk to him or see what ~~he~~ ~~happened~~ happened or when I come back I might loosen the restraints or let y'all out of them." Defendants Mattingly and Walls then left cell.

(274) At about 10 a.m., Defendant Mattingly, along with Health Services Defendant George came to do restraints check. And Defendant ~~Mattingly~~ George only touched handrestraints.

(275) Defendant George did nothing about the clearly visible immensely swollen, inflamed, and deeply bruised wrists, on forearms, and that bellychord on hand restraints would not make on wrists, forearms, and wrists.

(276) Rainitt told on showed Defendant George that the extremely too-tight hand restraints on bellychord would not allow the movement necessary to eat or drink and Defendant George responded, "Talk to Lieutenant Mattingly."

(277) Defendant George did not perform any vital signs checks. Nor did he examine, treat or record Rainitt's (an cellmate's) injuries, pain, and complaints.

(278) Defendant Mattingly stated, "You know, I was thinking about releasing you two, or atleast loosening the restraints but I went on talked to C/O (Correctional Officer) Parker and basically his story was different from yours. My staff don't lie, so since you wished not to tell the truth you can stay in restraints." And he and Defendant George left the cell.

(279) About 10:45 am, lunch (each meal) was given to Rainitt (an cellmate). And again, Rainitt (an cellmate) was unable to eat because the extremely too-tight restraints would not allow the movement necessary.

(280) At about 12 pm, Defendant Mattingly along with Health Services Defendant Walls came to do restraints check. Both Defendants only walked inside cell looked around and left cell.

(281) Rainitt's (an cellmate's) complaints of ~~it~~ intense pain along with clearly visible injuries on too-tight restraints was not recorded, treated, examined or corrected. And Defendant Walls ~~did~~ did not perform a vital signs check.

(287) Defendants Mattingly and ~~Walt~~ ^{Walt} did nothing and left the cell.

(288) Defendant Mattingly ~~but~~ came to do his last restraints check for the shift at around 2pm. He walked in the cell, stood in one spot, looked around then left cell.

(289) At around 4pm, Defendant Seeba and Health Services Defendant George came to do restraints check. Neither Defendant did anything about the restraints being extremely too-tight, or the clearly visible injuries on on ^{upper} ^{and} wrists, forearms and wrists.

(290) Defendant George refused to examine, treat, or ~~make~~ record the visible injuries, ^{hunger and thirst} pain, or discomfort. Nor did he perform a vital signs check.

(291) Defendant Seeba stated, "Yes okay", and both Defendants left cell.

(292) At about 4:30pm, Plaintiff (an inmate) was ~~not~~ given dinner (sack-meals) and again was not able to eat or drink because the extremely too-tight restraints would not allow the movement necessary.

(293) At about 6pm, Defendants Seeba and George came to do restraints check. The check went similar to ^{their} ~~the~~ previous checks. Neither Defendant loosened the obviously too-tight restraints. Neither Defendant recorded complaints of thirst, hunger, or intense pain or injuries.

(294) Defendant George refused to examine, treat, or record Plaintiff's complaints, clearly visible injuries or pain. Nor did he perform a ~~restraints~~ vital signs check.

(295) At around 8pm, Defendant Seeba came to do restraints check. He only came

inside cell and looked around. He did nothing about the pain, injuries, and extremely too-tight restraints.

(291) A little while later, Rainoff heard Defendant Carrasquillo on the range and called him to the cell door and asked, "Why are we still in restraints?" And Defendant Carrasquillo responded, "I was going to let you off of restraints when I came on shift today, but you must have pissed someone off higher up because I was told by the Captain to not to ~~be~~ let you off especially." And walked off.

(292) At around 10pm Defendant Seeba ^{came for restraints check} (accompanied by Officer Frantz and another Officer). Defendant Seeba did ~~nothing~~ ^{nothing} about the extremely too-tight restraints, the injuries or pain they caused ~~although~~ the injuries was easily and clearly seen. And that the too-tight restraints would not allow Rainoff (an inmate) the movement necessary to eat or drink.

(293) Officer Frantz came in and looked at all the bags of ~~2~~ ² each meals on the desk, and started collecting them.

(294) Rainoff (an inmate) asked what he was doing with ~~the~~ their food and Officer Frantz stated, "I'm throwing them away."

(295) Rainoff told Defendant Seeba that that was their food and that they haven't been able to move to eat and Defendant Seeba stated, "It's six bags of food on the table, you are suppose to eat the food when it's passed out to you. If you save it it's considered contraband and we can throw it away."

(296) Rainoff (an inmate) again told Defendant Seeba that they have not been able to eat or drink anything since being in restraints because they are extremely too-tight and do not allow the movement necessary to perform these tasks.

(297) Plaintiff (an cellmate) again told an displayed to Defendant Seeba that the restraints are extremely too-tight, don't make, have on is causing injuries on intense excruciating pain. And that Plaintiff (an cellmate) is hungry or thirsty.

(298) Defendant Seeba only shrugged his shoulders and stated, "That's not my problem, as one told you to be in restraints". And Officer Frantz continued to collect the bags and took them out of the cell and threw them away, then Defendant Seeba and the other Officer left the cell.

(299) Shift changed at 12 am 1/23/11, and around this time Lieutenant Hunter came to do a restraints check. Before ~~that~~ Plaintiff could say anything Lt. Hunter asked "Are you alright?" As he looked at the restraints on wrists.

(300) Plaintiff told Lt. Hunter that he and cellmate was in excruciating pain, that they haven't been able to eat or drink because the restraints are so tight they don't allow the movement.

(301) Lt. Hunter stated "Hold on, I just came on shift, let me finish making my rounds and when I come back I'll let you out of restraints and put you back in your cell". As Lt. Hunter left the cell Plaintiff heard him tell the D-Suit Officers, "Get their cell and property ready because I will be letting them off when I come back".

(302) At about 2 am, Lt. Hunter came to do restraints check, and in the process released Plaintiff (and cellmate) from hard ambulatory restraints. Lt. Hunter escorted Plaintiff (an cellmate) to their cell, gave them their personal property, and told them to talk to Medical in the morning about the injuries of their wrists, forearms, and wrists.

(303) Plaintiff (an cellmate) was unjustifiably placed on keep in hard ambulatory restraints

for an unspecified prolonged period of 30 hrs. The bellychairs and handrestraints of hard-ambulatory restraints was intentionally applied and left extremely too-tight for the prolonged period. P.A. Humphill told Plaintiff, "you are on medicine" when he told me showed injuries on 11/24/11. ~~me~~

(304) The ~~at~~ extreme tightness of handrestraints on bellychairs would not allow Plaintiff the movement necessary to eat or drink water for the entire period.

(305) Plaintiff (an inmate) was at no time aggressive, belligerent nor a security threat to themselves or others, but at all times compliant and under control (before, during, and while in hard ambulatory restraints).

CLAIMS FOR RELIEF

(306) In all on each of the above-mentioned events concerning the ~~the~~ Calculated Use of Force Team Members, all the following Defendants; G. Edinger, B. West, E. Good, S. Hicks, E. Klinefelter, S. Pitzman, K. Whitaker, J. Lesko, B. Loss, S. Booth, G. Wise, Z. Edinger, J. Anderson, B. Sengstack, K. Valtio, M. Kline, B. Gaston, C. Frantz, M. Farrow et al. (i.e. other Correctional staff who participate as ~~a~~ a Use of Force Team Member); did misuse force and used excessive Use of Force when they acted in collective concert to willfully, purposefully, and maliciously misapply and apply extremely on unnecessarily ^{too tight} the handrestraints on bellychairs of hard ambulatory restraints.

(307) This method of intentionally, purposefully, knowingly misapplying and applying extremely on unnecessarily too-tightly the ~~at~~ hard ambulatory restraints is a common custom or practice maliciously used here at USP Lewisburg by all staff that participate on the Calculated Use of Force Team specifically on solely to punish, hurt, and intimidate Plaintiff (an Prisoner).

(308) In each and all of the above-mentioned events, the following Defendants; E. Abant, T. Harper, W. McTadden, A. Sassman, P. Carrasquillo, T. Johnson,

M. Saylor, J. Seeba, C. Mattingly, A. Galletta, John Doe #4, (et al) were all lieutenants.

(309) Lieutenants are above Correctional Staff in the chain of command and this has direct supervision of them. In addition, lieutenants also lead or supervise the Calculated Use of Force Team when they have gotten approval ~~to assemble them and~~ to assemble them and apply hard ambulatory restraints.

(310) In the events aforementioned, Defendants Stant and Carrasquillo lead and supervised the Calculated Use of Force Team on Application of Restraints. Both Defendants had a duty to ensure that the minimal amount of force was used on Plaintiff, and to ensure that the hard ambulatory restraints were applied correctly and properly.

(311) Defendants Stant and Carrasquillo did willfully or maliciously act in concert or collusion with Use of Force Team Members by ~~acquiescenting~~ ^{acquiescenting} in and/or condoning the intentionally malicious misapplication and extreme tightness of hard ambulatory restraints by Use of Force Team Members.

(312) Defendants; Stant and Carrasquillo; had the duty and authorization to loosen or correct the misapplied, or too-tight restraints at initial application but refused to and instead provided falsified verbal statements for benefit of audio of Use of Force Camera.

(313) The specific and collusive conduct of Defendants; Stant and Carrasquillo; acquiescenting in and/or condoning the misapplication, and extreme tightness of hard ambulatory restraints is a common custom or practice of all lieutenants here at JOP Lewisburg.

(314) Defendant Stant specifically authorized the episode of excessive use of force towards Plaintiff when he, for no reason, yelled, "Stop Resisting", and had the entire Use of Force Team pile up on Plaintiff and pull on his limbs in different directions.

(315) This is another method that is a common practice and custom that is maliciously used in order to use excessive and unnecessary force on Prisoners at USP Lewisburg.

(316) In each and all of the events aforementioned, the following Defendants; [REDACTED], Hooper, McTadden, Sassman, Carrasquilla, Johnson, Saylor, John Doe #4, Seaba, Mottling, and Galletta; all had authority and duty with numerous opportunities to release Prisoners from hard ambulatory restraints or ordering lesser restraints when Prisoners displayed a pattern of self-control and compliance.

(317) These same Defendants refused to adequately loosen or correct the misapplied and too-tight hand restraints on bellychains on Plaintiff on numerous occasions.

(318) These same Defendants intentionally and maliciously acted in collusive concert when they continuously falsified documentation; (i.e. remarks and statements in Lieutenant 2 hour Restraints Check Log) stating that Plaintiff was belligerent, an aggressive; in order to keep him in restraints.

(319) This method of collusively and willfully falsifying documentation in the Lieutenant 2 hour Restraint Check Log is a specific common practice and custom of the above Defendants (and all lieutenants) here at USP Lewisburg to keep Prisoners in hard ambulatory restraints after the Prisoners are under self-control and compliant.

(320) Each Defendant: E. Stant, T. Hooper, W. McTadden, A. Sassman, P. Carrasquilla,

T. Johnson, M. Saylor, J. Seeba, C. Mattingly, A. Galletta, ~~and~~ John Doe #4, (et.al, i.e. all lieutenants); was aware of the substantial risks of serious harm by maliciously and collusively placing and keeping Prisoners (Plaintiff) in hard ambulatory restraints that are misapplied or applied extremely too-tight for prolonged periods.

(321) Each Defendant; Abbott, Hooper, McTadden, Sarsman, Carrasquillo, Johnson, Saylor, Seeba, Mattingly, Galletta, John Doe #4 (et.al, i.e. all lieutenants); disregarded those risks by refusing to, or failing to, take reasonable measures to abate them.

(322) In each and all of the aforementioned events of the application of hard ambulatory restraints, the following Defendants; E. Kilpatrick, C. Webb, M. Wagner, ~~John Doe #5~~, R. Admire, S. Tiglo, et.al (i.e. other staff who also participate as Camera Operators) was a part of the Calculated Use of Force Team in the capacity of Camera Operators.

(323) These Defendants; Kilpatrick, Webb, Wagner, Admire, Tiglo (et.al); did willfully and purposefully act in collusive concert along with the Calculated Use of Force Team by failing to, or refusing to, properly visually record the actual step by step application of hard ambulatory restraints. And by refusing, or failing, to properly visually record the close step by step application they knowingly concealed the malice and excessive use of force by Use of Force Team Members, and that they were deliberately indifferent.

(324) These willful collusive actions and deliberate indifference of Defendants; Kilpatrick, Webb, Wagner, Admire, ^{and} Tiglo; is a common custom or practice of ~~any~~ ^{all} staff members here at ~~the~~ U.S.P. Leitchburg who ~~is~~ ^{are} assigned the position of Use of Force Camera Operator.

(325) In each and every event concerning a Calculated Use of Force, there is a staff Member in the position of Confrontational Avoidance, whose job is to ~~all~~ attempt to gain the Prisoner's cooperation before force is used, in order to avoid force an application of restraints.

(326) In the aforementioned events concerning the Calculated Use of Force Team, the ~~staff~~ following Defendants; M. Reeves, H. Birdsell, and M. Jones (et al i.e. other staff who act as Confrontational Avoidance); were assigned as Confrontational Avoidance.

(327) In each of the aforementioned events, the Confrontational Avoidance techniques used by Defendants; Reeves, Birdsell, and Jones; was successful in gaining Plaintiff's cooperation, as he voluntarily submitted to handcuffs. Despite this fact ~~force~~ force was still unnecessarily used against and towards Plaintiff in the form of him being placed in hard ambulatory restraints (that were misapplied and extremely too-tight), and left in them for ~~quite~~ prolonged periods of time unjustifiable.

(328) Defendants; Reeves, Birdsell, and Jones; all were deliberately indifferent when they failed and refused to intervene to stop the misuse of, an excessive force used towards an against Plaintiff after confrontational avoidance proved successful on Plaintiff ~~he~~ voluntarily ~~cooperated~~ cooperated. This deliberate indifference displayed by these Defendants is a common custom or practice among ~~all~~ staff that act as Confrontational Avoidance staff here at IOP Lewisburg.

(329) ~~In~~ In two of the aforementioned events, the following Defendants; Bricker and R. Packer; did willfully and intentionally provide falsified documentation and information ~~to~~ accusing Plaintiff of misconduct solely to hit them or get them punished by getting them placed in hard ambulatory restraints (that are always misapplied and applied too tightly) for unjustified prolonged periods.

(330) Defendants; Brodie, Packer, et al. (ie all USP Lehighburg staff) know that certain allegations against Prisoners will ^{Automatically} get them placed in these types of restraints, on this, falsity documentation on information maliciously or arbitrarily, and by doing so are the initial causation of the collision misbe an excessive use of force. This species malicious collision conduct of Defendants is a common practice or custom among staff here at USP Lehighburg.

(331) In each an all of the above aforementioned events stated, the following Defendants; Hawey, John Does #1, 2*, 3*, and Drick, and Tanner; were all Correctional staff an was assigned to Z-Unit or D-Unit where Plaintiff was placed after being placed in hard ambulatory restraints.

(332) In the above aforementioned events where they are mentioned, Defendants; Hawey, John Does #1, #2, #3, Drick and Tanner; were not only callously indifferent to Plaintiff's obvious pain, need for medical attention, and need for extremely too-tight an misapplied restraints loosened, but also humiliated him.

(333) This display of callous indifference is also a conduct that is a common practice or custom among ~~staff~~ staff here at USP Lehighburg towards Prisoners that are placed in hard ambulatory restraints.

DENIAL AN/OR DELAY OF ADEQUATE MEDICAL CARE

(334) In the above aforementioned events the following Defendants; D. DeLeon, W. Brennan, A. Amos, B. Prince, G. George, B. Walls, L. Potter, M. Peoria; were Health Services staff.

(335) Defendants; DeLeon, Potter, and Brennan; did callously and deliberately disregarded ~~the~~ the risk of serious harm ~~to~~ Plaintiff faced by being in hard ambulatory restraints that was purposefully misapplied and applied extremely too-tight when they willfully an callously falsified statements (on documentation) that restraints "did not interfere with circulation an was proper", on ~~an~~ every application.

(336) Defendants; Potter, Brennan, Walls, Prince, Peoria, and George; ~~all~~ was callously and deliberately indifferent to Plaintiff's ~~medical~~ medical needs (i.e. complaints, pain, and obvious injuries) during all the Medical Restraints Checks (and/or other occasions ~~mentioned~~ at-
-orementioned).

(337) Defendants; Potter, Brennan, Walls, Prince, Peoria, and George; all callously falsified information and documentation in Plaintiff's Medical Records by continuously stating that during the restraints checks Plaintiff did not complain of being in pain, and that he had no injuries, along with other falsified information, solely to conceal the injuries and pain from the ~~mis~~ misuse and ~~excessive~~ excessive use of force.

(338) Defendants; Potter, Brennan, Walls, Peoria, Prince, George et. al (i.e. other ~~Health Services Staff~~ Health Services Staff) willingly and callously participate in this practice and common custom of callous indifference, here at USP Lehigh, towards Prisoners' pain, injuries and medical needs who are in, and has been, in the misapplied and extremely too-tight hard ambulatory restraints.

(339) Each Defendant; Potter, Brennan, Walls, Peoria, Prince, George; was aware that Prisoners (Plaintiff) face a substantial risk of serious harm by being ~~denied treatment and~~ being in ~~misapplied~~ and extremely too-tight hard ambulatory restraints. And each Defendant disregarded that risk by failing and refusing to take reasonable measures to abate it.

(340) In each of the aforementioned events, the following Defendants; T. Navarro, ^{and Humphill;} and T. Alvarado were Health Services Staff with the title of Physician Assistance (P.A.), and was assigned to D-Unit (although at different times).

(341) Defendant Navarro was callously ~~indifferent~~ and deliberately indifferent to Plaintiff's health by failing and refusing to provide adequate medical care and treatment for injuries caused by, and suffered from misapplied, and extremely too-tight

hard ambulatory restraints on 2/25/10 through 2/26/10.

(342) Defendant Navarro displayed periods collusive conduct and was collusively and deliberately indifferent to Plaintiff's medical needs or treatment when he purposefully and ~~collusively~~ willfully refused to record on document Plaintiff's numerous sick-call slips or cop-outs in his Medical Records and instead recorded falsified information, documentation, diagnosis, etc to hide an conceal facts of Plaintiff's injuries or condition.

(343) Defendant Navarro never examined Plaintiff.

(344) Defendant Alama was deliberately indifferent to Plaintiff's medical needs when he ~~collusively~~ collusively followed an reported Defendant Navarro's falsified information on diagnosis (for the injuries ~~caused~~ caused by an suffered from misapplied, an extremely too-tight hard ambulatory restraints on 8/2/10 through 8/3/10) even when medical evidence proved different.

(345) Defendant Hemphill was deliberately indifferent on 1/24/11 ~~to Plaintiff's~~ to Plaintiff's medical needs when he only told him, "You are already on pain medicine", when he was told and ~~showed~~ the visible bruises, abrasions, an swelling upon an around Plaintiff's wrists and forearms. Defendant Hemphill did not examine Plaintiff.

(346) This collusive deliberate indifference ~~to~~ to Plaintiff's medical needs, or care by Defendants; Navarro, Alama, and Hemphill; by specious collusive methods, delay, and outright refusal of medical care is a common custom or practice among Physician Assistances or Health Services here at USP Lewisburg towards Prisoners who ~~attempt~~ need an attempt to receive adequate medical care or treatment from pain or injuries from being victims of misuse of force or excessive use of force (i.e. misapplied and too-tight hard ambulatory restraints).

SUPERVISOR

LIABILITY

(347) Defendant S. Bradin is the Health Services Administrator here at USP Lewisburg, and is responsible to have competent medical staff that will render adequate medical care and treatment to Prisoners on follow procedures.

(348) Defendant Bradin ~~has been~~ has been, on cont'd to be put on notice of his staff's ~~ongoing~~ ongoing refusal to provide adequate medical care and treatment to Plaintiff (et al, i.e. Prisoners) via numerous Administrative Remedies, verbal complaints, and Plaintiff's display of his obvious visible physical injuries on 8/3/10 (while Plaintiff was in misapplied and too-tight hard ambulatory restraints).

(349) Defendant Bradin failed and refused to adequately investigate Plaintiff's complaints and grievances of ~~denial~~ denial / inadequate medical care and treatment. He was aware that Plaintiff was not receiving adequate medical care and had a duty to ensure that Plaintiff did, but failed to do so.

(350) Defendant Bradin was aware that Plaintiff faced a substantial risk of serious harm due to the misapplied and too-tight hard ambulatory restraints on his serious medical needs (i.e. injuries and pain caused by them).

(351) Defendant B.A. Bledsoe is the Warden here at USP Lewisburg and is responsible for the overall safety and health of all Prisoners here. He is also responsible for the daily operations and running of USP Lewisburg, as well as responsible for the hiring and training of all Employees at the Prison.

(352) Defendant Bledsoe had a duty to adequately train employees in confrontation-avoidance, calculated use of force, and application of ~~and~~ restraints in accordance with rules and regulations. Defendant Bledsoe had a duty to ensure that all employees adhere to, and abide by those rules and regulations, and failed to do so.

(353) Defendant Bledsoe has been, and continue to be put on notice; via cop-outs, personally, Administrative Remedies, and other substantiated evidence, etc.; of staff continuously purposefully, and maliciously falsifying (and providing) information on documentation, using excessive force or misusing force ~~via~~ (i.e. applying extremely and unnecessarily too tight, and misapplying hard ambulatory restraints), and denying or delaying adequate medical care and treatment to (an on) Prisoners.

(354) Defendant Bledsoe continuously fail to adequately investigate ~~the~~ the obvious collective malicious problem of staff's violations of providing falsified information and documentation, using excessive use of force, an misuse of force, and denying and/or delaying adequate medical care to (an against) Prisoners.

(355) Defendant Bledsoe continuously ~~pre~~ approve for Prisoners to be placed in hard ambulatory restraints, ^{unjustifiably} Also, Defendant Bledsoe continuously pre-approve for Prisoners to be left in them for ~~unjustifiably~~ ~~prolonged~~ ~~periods~~ ^{injustifiable prolonged periods}.

(356) Defendant Bledsoe continuously disregard and ignore the violations an specific conduct displayed by staff during Calculated Use of Force and application of hard ambulatory restraints when he perform the After Action Review.

(357) Defendant Bledsoe was aware that Prisoners faced a substantial risk of serious harm due to being subjected to being ~~placed in and left in hard ambulatory restraints~~ placed in and left in hard ambulatory restraints that are misapplied and applied extremely too tight for prolonged periods of time. And for being denied or delayed adequate medical care for the injuries they can be.

(358) Defendant Bledsoe disregarded those risks by failing to take reasonable measures to abate them.

(359) Defendants; Bledsoe and Brasler; both authorized, acquiesced in and/or condoned the ^{common} ~~pro~~

-dice an custom of ~~the~~ staff being deliberately indifferent to Prisoner's (Plaintiff's) right to ~~adequate~~ adequate medical care.

(360) Defendant Bledsoe authorized, acquiesced in and/or condoned the common practice an custom of violating Prisoner's' (Plaintiff's) right to be free from excessive use of force, and misuse of force.

(361) Each and every Defendant of Complaint acted in conscious disregard of the known an substantial risks of harm, from the aforementioned violations, to Prisoners (Plaintiff's). And each Defendants' conduct was willful, wanton, malicious an intentional.

(362) As a direct an proximate result of all the Defendants' conduct an deliberate indifference to, an violation of Plaintiff's Constitutional Rights, as guaranteed by, among other things the Eighth Amendment; Plaintiff was deprived of his right to be free from excessive use of force an misuse of force, and his right to adequate medical care.

INJURIES

(363) As a direct result of Defendants' actions and omissions, Plaintiff has suffered an continues to suffer the following physical an mental injuries ~~including~~ including without limitation those stated therein:

(364) A ~~in~~ painful injury to left wrist and hand, which to this date Plaintiff does not know the full extent of his injuries associated with this particular injury. Plaintiff suffers from right superficial radial sensory neuropathy, and right median mononeuropathy at or distal to the wrist, all painful.

(365) Plaintiff has tried, an continues to try several pain medications that has not worked to alleviate the pain an sensory disturbances of both hands an wrists.

(366) Plaintiff suffered acute cuts on deep bruises on abrasions, along on upon his lower forearms, wrists, and hands; consistent with cuff on chain edges, And also severe painful swelling on inflammation of both forearms on wrists on hands, excruciating pain.

(367) Plaintiff suffered dehydration, hunger; And also suffered on continues to suffer mental anguish on emotional distress.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

(368) Plaintiff has exhausted his administrative remedies with respect to all claims and Defendants.

PRAYER FOR RELIEF

(369) Wherefore, Plaintiff prays for judgement against Defendants, including a declaration on that Defendants violated his constitutional rights, compensatory damages against each Defendant, jointly and severally, and punitive damages against each Defendant in an amount to be determined at trial, along with attorney fees, costs, and an injunction ordering an enjoining the Defendants, their successors in office, agents on employees and all other persons acting in concert on participation with them to:

A) Immediately cease on desist authorizing the use and implementation of the Calculated Use of Force Team on placement in hard ambulatory restraints when the situation ^{does not} ~~is not~~ further any real penological interest (i.e. when a safety on or security threat never existed, or when an actual safety on or security threat has ~~is~~ passed, or no longer exists).

B) Immediately begin utilizing the Confrontational Avoidance Technique in actual on real attempts to avoid the use of the Calculated Use of Force Technique on placement in hard ambulatory restraints.

C) Immediately begin utilizing soft restraints initially, whenever placement in ambulatory

-atory restraints is actually ~~an~~ necessary an justified to further an actual penologi-
-cal interest.

④ I immediately begin actually visibly recording & close; via the use of Force Camera Operator; the applications of each restraints as they are being applied, the initial restraints check by Medical staff as listen out, as well as the Prisoner (Unobscured) after application.

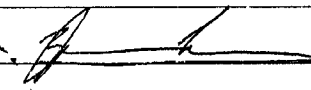
⑤ I immediately cease an desist double celling Prisoners who are in hard ambulatory restraints in cells that contain bunk beds and only double cell them in cells that contain floor bunk.

⑥ I immediately begin only placing Prisoners; who are in hard ambulatory restraints in cells that are equipped with a video camera, or that a video camera be utilized during every restraints check to record conduct of Prisoners and staff, an to ensure adequate medical care an checks are properly given an done.

And any other relief the Court deems necessary an proper.

I declare Under penalty of perjury an Under the laws of the United States that the foregoing statements are true an correct to the best of my knowledge

Executed: Aug 28, 2012

Signature: 

James A. Lucas #08801-003

USP Lewisburg

P.O. Box 1000

Lewisburg, PA 17837

Exhibit # 2

Declaration of James A. Liscus (plaintiff)
And (3) attachments

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

- 1 -

JAMES A. LUCAS, plaintiff

Civil No: 1:11-cv-2318

v.

(James, J.)

B.A. BLEDSOE, et al., defendants

DECLARATION OF JAMES A. LUCAS

I, James A. Lucas hereby state:

1. I am Pro-Se Plaintiff in the above case, and am a Prisoner incarcerated at the United States Penitentiary Lehigh, Pennsylvania (USP Lehigh). Plaintiff is in the Special Management Unit (SMU), where Prisoners are locked in their cells 24/7, other than the one hour recreation.
2. Attached is an accurate copy of Legal Materials Request Form, which are used here in order for SMU Prisoners to request legal materials and/or legal copies of documents.
3. SMU Prisoners are to submit their legal requests via Institutional Mail; i.e. sealing in envelope, addressing envelope 'Institutional Mail - Education Dept/Mail Room Library'; and handing it in to Unit Staff (who places it with all other mail).
4. Plaintiff properly complied with process of legal requests, as well as Instructions #1 - #6 on Legal Materials Request Form when he submitted a request for copies (along with Original) of his Amended Complaint on Sunday, Aug 19, 2012, in order to get copies to send the Court and Defendants.
5. Plaintiff did not receive the copies requested nor his original back when Mail Room Library Staff, Mr. Cass, made his weekly rounds on Wednesday Aug 22, 2012.

-2-

6. Attached is the original of inmate request form to staff (Main hall library) that Rainbolt submitted, urgently inquiring about his copies and his original of Amended Complaint. Also attached is an accurate written copy of Inmate Request Form to Staff.

7. The Main hall library claims to have never received Rainbolt's request, and no one knows where Rainbolt's legal documents are.

8. The losing and misplacement of legal documents submitted by SMP prisoners is not new, but in fact, occurs often.

9. Rainbolt had to hastily rewrite amended complaint to submit to this Court. And due to not being able to personally get to a copy machine, on fear of his original pertinent legal documents, evidence, etc being lost or misplaced by VSP staff when copies are requested, Rainbolt is unable to submit copies to Defendants.

Prisoner Rainbolt hereby state under penalty of perjury pursuant to the provisions of 28 USC 1746 that the above is true and correct to the best of his knowledge.

Date: Aug 28, 2012

Signature: 

James A. Lewis # 08301-003

VSP Lewisburg

P.O. Box 1000

Lewisburg, PA 17837

Legal Materials Request Form

USP Lewisburg, PA

Updated July 2012

INSTRUCTIONS:

1. Due to limited resources (such as time and manpower) and the amount of requests that the Library receives each week, please limit yourself to **ONE (1) request per week with no more than THREE (3) items per request.** This includes: Legal Copies, Addresses (If available) and/or any other legitimate LEGAL requests. When you have received your requested material(s), you may submit another request. Do not send multiple request forms, only one request will be honored per week, in the order that it is received.
2. Materials which are readily available on your unit's Electronic Law Library (ELL) computer will not be provided by the Main Law Library, you must use you unit's Electronic Law Library to access, view and print those materials. To attend your unit's Law Library, you will need to submit a Request to a Staff Member (cop-out) to your unit's correctional staff. In the event that you are on indigent status (Inmates lacking funds) and need items printed off of the ELL computer, you may request an Indigent Inmate Request for Printed Legal Pages form from the Main Law Library. Please read and carefully follow the directions on the form and complete the form in its entirety. Completed forms then must be sent to the Supervisor of Education for verification of indigent status.
3. When making your request, please state as specifically as possible, the item(s) for which you are requesting. (For Example: Four (4) copies of all legal materials, front and back.) Your request must be printed legibly and include your last name and full Inmate number. Failure to comply with these procedures may result in your request not being filled. Additionally, all requests to the Main Law Library may be made using any of the following methods: A Legal Materials Request Form (this form), a standard Inmate Request Form (cop-out) or by writing your request on a blank sheet of paper, so long as it abides by the rules listed above. **Requests that are written on the envelope will not be honored and will be returned uncompleted.**
4. **FOR LEGAL COPIES:** You must state as clearly as possible the amount of legal copies that you require (i.e. 3 copies of each page, front and back). All fasteners (to include staples, tape, stickers, paper clips, etc.) must be removed from your legal paperwork prior to submission. Failure to comply will result in your legal items being returned to you uncompleted. Copies will only be reproduced on one side of standard 8½" x 11" copy paper and the Library will not honor any requests for enlargements and/or reductions of your legal materials. In order to help maintain acceptable levels of legal materials, there is a LIMIT OF 5 COPIES per page unless you can provide a written court mandated need for more.
5. **PRIOR TO RECEIVING YOUR LEGAL COPIES:** All inmates will be required to sign a pre-completed form BP-199.045 (Request for Withdrawal of Inmate Personal Funds) in the amount for which it cost to complete the copies. All copies cost \$0.15 per page. When signing the form BP-199, **please provide your signature only** on the designate line. No political statements, nicknames or other written statements will be accepted. If you fail to abide by this rule, you **WILL NOT** receive your requested copies and an incident report may be written. Additionally, any Inmate who **refuses to sign the form BP-199, WILL NOT** receive his requested copies and an incident report may also be written for your refusal to pay.
6. For further information, please consult your SMU handbook or see your unit's law library for a complete list of legal request rules and regulations (on the ELL computer, under the Local Documents section).

**ALL SUBMITTED REQUESTS ARE BASED ON THE COMPETITIVE NEEDS OF ALL INMATES
AND SUBJECT TO THE NEEDS OF THE INSTITUTION.**

Request #	Request (copy information, addresses, other)	Result
1.	_____	_____
2.	_____	_____
3.	_____	_____

Date Completed by Staff: _____

Cell #:

Register #:

NAME:

BP-S148,055 **INMATE REQUEST TO STAFF** CDFRM
SEP98**U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS**

TO: (Name and title of staff member): <i>Education Dept/Main Law Library/ Mr. Gross</i>	DATE: <i>Aug 23, 2012</i>
FROM: <i>James M. Wilson</i>	REGISTRATION #: <i>08301-003</i>
WORK ASSIGNMENT: <i>W/A</i>	UNIT: <i>B-110</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

I am urgently inquiring and requesting about the legal documents (labeled "Amended Complaint") (about 55 pgs) that I sent via Institutional Mail to Main Law Library to get one copy of each. I did not receive anything on Wednesday Aug 22, 2012 when you did your rounds. I am in need of these documents because: ① they are the only copies I have, and ② More importantly, I have a deadline where I have to send it to the Courts before they grant judgment on the last motion (14) days... I know have (14) days from this date. Please, Please help! I sent it in via Institutional Mail Sunday Aug 19, 2012.

Thank You!

(Continue on back if necessary)

(Do not write below this line)

Disposition: *The Library did not receive any legal items from you. Try contacting the mailroom.*

*Comp. 8/27/12
CJP*

Signature of staff member:	Date:
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BP-S148.055 **INMATE REQUEST TO STAFF** CDFRM
SEP 98

**U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS**

TO: (Name and title of staff member): <i>B-Unit / OIC Shultz</i>	DATE: <i>Aug 26, 2012</i>
FROM: <i>James A. Liras</i>	REGISTRATION #: <i>08301-603</i>
WORK ASSIGNMENT: <i>N/A</i>	UNIT: <i>B-110</i>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

I am urgently requesting for your assistance at your very earliest opportunity of your busy schedule:

On Sunday Aug 19, 2012, I sent, via Institutional Mail, a packet of important legal documents (about 55 pgs, titled "Amended Complaint") to the Main Law Library to get one copy of each. When Mr. Gross made rounds Weds. Aug 22, 2012 I did not receive anything. I am asking, will you please, please, contact Mr. Gross and inquire about if he found those packet of my legal documents. This is highly important to me because they are needed to meet the deadline in the Court.

[Cite Personal File]

Thankful
(Continue on back if necessary)

(Do not write below this line)

Disposition: _____

Signature of staff member:	Date:
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